

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CURTIS B FISHER,

Petitioner,

v.

RON HAYNES,

Respondent.

CASE NO. 3:15-CV-05747-BHS-JRC

ORDER TO SUBMIT PROPERLY
SIGNED PLEADING

The District Court has referred this petition for a writ of habeas corpus to United States Magistrate Judge, J. Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner Curtis B. Fisher filed a 28 U.S.C. § 2254 habeas petition challenging his conviction of second degree murder. Dkt. 1.

On April 22, 2016, the Court received plaintiff's "rebuttal" to respondent's supplemental answer, which the Court interprets as petitioner's response. Dkt. 20. However, rather than signing his name, a Julia Kukel signed her name "on behalf of" petitioner. *See* Dkt. 20. It appears that Ms. Julia Kukel is petitioner's fiancée. *See* Dkt. 1 at 15. The Court also notes that Ms. Julia Kukel signed a portion of the petition, Dkt. 1 at 15, petitioner's first reply and memorandum,

Dkt. 11 at 4, and petitioner's "motion for showing cause," Dkt. 16. However, petitioner also signed the petition himself. Dkt. 1 at 15.

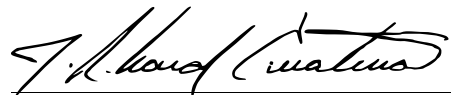
Pursuant to Federal Rule of Civil Procedure 11,

Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.

Fed. R. Civ. P. 11.

The purpose of this rule is to prevent the unauthorized practice of law by persons representing prisoners who are not lawyers. This rule must be enforced, regardless of the signor's relationship with the prisoner. Therefore, the Court orders petitioner to submit a proper response bearing his personal signature on or before May 23, 2016. If plaintiff fails to submit a properly signed response by May 23, 2016, the Court will strike petitioner's response (Dkt. 20). Respondent may file a reply no later than May 27, 2016. The Clerk is directed to re-note the petition (Dkt. 1) for May 27, 2016.

Dated this 25th day of April, 2016.



J. Richard Creatura
United States Magistrate Judge